IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Crl.Rev.Pet.No. 1704 of 2006(C)

CRA.138/2005 of ADDL.SESSIONS COURT (ADHOC)-I, KOTTAYAM
CC.473/2004 of JUDL. MAGISTRATE OF FIRST CLASS-II(MOBILE), KOTTAYAM

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REVN. PETITIONER: APPELLANT/ACCUSED

S.VIJAYAKUMAR,
LEELAVILASOM, UNION CLUB ROAD,
KOTTAYAM.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS: RESPONDENTS/COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. C.A.MATHEW, S/O. ABRAHAM,
CHERUPARAMBIL VEEDU, KANAKKARY,
KOTTAYAM.

BY ADV. SRI.MATHEW JOHN (K)
SRI.SUJESH MENON V.B.
BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1704 of 2006

Dated this the 2nd day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.72,000/- to the complainant and in default, to undergo simple imprisonment for two months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is affirmed. Revision petitioner is granted four months' time from today onwards to pay the amount of compensation, less the amount deposited, if any. He shall appear before the Judicial First Class Magistrate Court-II (Mobile) Kottayam on 2.8.2007 to receive the sentence.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl